

GOVERNOR'S OFFICE

Austin, Texas

April 2, 1923

PH 3412

Hon. S. L. Staples,
Secretary of State,
Austin, Texas.

Dear Mr. Secretary:

The Governor and each Legislator took an oath that he would not pass any kind of legislation that was in violation of the State Constitution. House Bill No. 412 seeks to appropriate \$2,688. to Carl L. Estes, a private citizen.

Mr. Estes is a young man, a patriotic son of Texas. During the war he made application to enter the service of the army, but was turned down on account of his physical condition. Later, he joined the National Guard and was transferred from the National Guard to the regular army, and was sent to the Officer's Training Camp at Leon Springs. While there, he contracted pneumonia, and this, with complications, made it necessary for him to undergo a serious operation. This occurred just before his transfer was consummated from the National Guard to the United States Army. However, the serious illness occurred weeks after he had been placed under control of the Texas Guard, and sometime after he had reported to the Training Camp at Leon Springs.

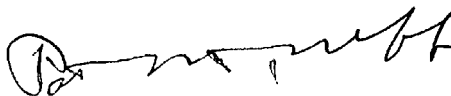
Because this case does not come under its rules regulating matters of this kind, the Federal Government declines to assist him as a disabled soldier. Mr. Estes has never recovered from this illness contracted at Leon Springs. Physically, he is, from all reports, in a serious condition. He is deserving of assistance.

The Constitution, however, positively prohibits the State from appropriating public funds to private individuals in matters of this kind. Article 16, Section 6, provides that, "no appropriation for private or individual purposes shall be made", and specifically adds that, "the Legislature shall have no power to make an appropriation of public money to any individual whatsoever". The passage of this bill would be such an open, clear violation of the Constitution of the State that I cannot, in good conscience, approve it.

The Legislature that passed this bill is composed of 181 members. These members, together with myself, by contributing \$15.00 each, can give to Mr. Estes the amount of money appropriated in this measure, to wit, \$2,688.00 of which is is deserving. When the Legislature convenes in Special Session, I shall gladly give to the Speaker of the House my \$15.00, with the hope that the membership of the House and of the Senate, who passed this measure, will contribute in a personal way to Mr. Estes, the sum of money sought to be appropriated by this measure out of the public treasury, but which the Constitution of our State prohibits.

In keeping with my oath of office, the bill is hereby vetoed.

Respectfully,



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Governor